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12 **UNITED STATES DISTRICT COURT**  
13 **CENTRAL DISTRICT OF CALIFORNIA**

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15 EXXON MOBIL CORPORATION,

16 Petitioner and  
17 Plaintiff,

18 v.

19 SANTA BARBARA COUNTY  
BOARD OF SUPERVISORS,

20 Respondent and  
21 Defendant.

22 and

23 ENVIRONMENTAL DEFENSE  
CENTER, GET OIL OUT!,  
24 SANTA BARBARA COUNTY  
ACTION NETWORK, SIERRA  
CLUB, SURFRIDER FOUNDATION,  
25 CENTER FOR BIOLOGICAL  
DIVERSITY, and WISHTOYO  
26 FOUNDATION,

27 Intervenor.  
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Case No. 2:22-cv-03225-DMG (MRWx)

**PETITIONER/PLAINTIFF EXXON  
MOBIL CORPORATION'S  
REQUEST TO TAKE JUDICIAL  
NOTICE IN SUPPORT OF CROSS-  
MOTION FOR SUMMARY  
JUDGMENT AND OPPOSITION  
TO RESPONDENT/DEFENDANT'S  
AND INTERVENORS' MOTIONS  
FOR SUMMARY JUDGMENT ON  
FIRST CAUSE OF ACTION FOR  
WRIT OF ADMINISTRATIVE  
MANDATE**

**Judge:** Hon. Dolly M. Gee  
**Hearing:** June 16, 2023  
**Time:** 2:00 p.m.  
**Courtroom:** 8C

## REQUEST TO TAKE JUDICIAL NOTICE

Pursuant to Federal Rule of Evidence 201, Petitioner and Plaintiff Exxon Mobil Corporation (“ExxonMobil”) respectfully requests that the Court take judicial notice of the documents, which are all matters of public record, listed in support of ExxonMobil’s Cross-Motion for Summary Judgment and Opposition to Respondent/Defendant’s and Intervenor’s Motions for Summary Judgment on the First Cause of Action for Writ of Administrative Mandate.

The Court may take judicial notice of any matter “not subject to reasonable dispute because it: (1) is generally known within the trial court's jurisdiction; or (2) can be accurately and readily determined from sources whose accuracy cannot reasonably be questioned.” Fed. R. Evid. 201(b). Further, the court “must take judicial notice if a party requests it and the court is supplied with the necessary information.” Fed. R. Evid. 201(c)(2). Judicial notice may be taken at any stage of the proceeding, including by an appellate court during the pendency of an appeal. Fed. R. Evid. 201(d).

The court may take judicial notice of undisputed matters of public record. *See Lee v. City of Los Angeles*, 250 F.3d 668, 689 (9th Cir. 2001); *L’Garde, Inc. v. Raytheon Space and Airborne Sys.*, 805 F. Supp. 2d 932, 937–938 (C.D. Cal. 2011) (finding that “[p]ublic records and government documents available from reliable sources on the Internet” are considered “not to be subject to reasonable dispute”). The court may also take judicial notice of municipal ordinances. *See Solid Lands Behav. Health, Inc. v. City of Costa Mesa*, SACV 14-1838 JVS (JCGx), 2015 WL 13919156, at \*1 (C.D. Cal. Sept. 18, 2015). The following documents therefore may be judicially noticed:

1. A true and correct copy of the County of Santa Barbara’s Coastal Land Use Plan Section on Oil and Gas Processing Facilities and Policy 6-8 attached hereto as **Exhibit A**. The Coastal Land Use Plan is a certified public record that can be accessed on the County of Santa Barbara’s official website at:

1 <https://cosantabarbara.app.box.com/s/cx95k0r4hnfo58hg291fi5gzf5rrdurd>.

- 2 2. A true and correct copy of the County of Santa Barbara's Coastal Zoning  
3 Ordinance Section 35-154 attached hereto as **Exhibit B**. The Coastal Zoning  
4 Ordinance is a certified public record that can be accessed on the County of  
5 Santa Barbara's official website at:

6 <https://cosantabarbara.app.box.com/s/ca93u38tv092neffw488txbjqh3ucrnv>.

- 7 3. A true and correct copy of the County of Santa Barbara's Land Use and  
8 Development Code Section 35.52.060.B attached hereto as **Exhibit C**. The  
9 Land Use and Development Code is a certified public record that can be  
10 accessed at the County of Santa Barbara's official website at:

11 <https://cosantabarbara.app.box.com/s/6hrqg4blorc7zjyh2hklhsl3pv2j2tad>.

12  
13 Dated: March 30, 2023

DAWN SESTITO

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15 By: /s/ Dawn Sestito  
16 Dawn Sestito

17 Attorneys for Petitioner and Plaintiff  
18 Exxon Mobil Corporation  
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